



IPW

Docket No.: 240835US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

ECKHARD H. KUESTERS
(703) 413-3000
EKUESTERS@OBLON.COM

RE: Application Serial No.: 10/627,622

Applicants: Takashi FUJIMURA

Filing Date: July 28, 2003

For: METHOD OF MANUFACTURING THIN FILM
TRANSISTOR, METHOD OF MANUFACTURING
FLAT PANEL DISPLAY, THIN FILM TRANSISTOR,
AND FLAT PANEL DISPLAY

Group Art Unit: 2815

Examiner: ORTIZ, E.

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

Registration No. 28,870

Customer Number

22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)



DOCKET NO: 240835US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TAKASHI FUJIMURA : EXAMINER: ORTIZ, E.
SERIAL NO: 10/627,622 :
FILED: JULY 28, 2003 : GROUP ART UNIT: 2815
FOR: METHOD OF MANUFACTURING :
THIN FILM TRANSISTOR, METHOD OF
MANUFACTURING FLAT PANEL
DISPLAY, THIN FILM TRANSISTOR,
AND FLAT PANEL DISPLAY

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated August 11, 2004, Applicant provisionally elects with traverse Group II, Claims 23-24, drawn to a thin film transistor, classified in class 257, subclass 59. Applicant reserves the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a handful of sub-classes. Furthermore, since electronic searching is commonly performed, a search may

be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicant respectfully traverses the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 23-24 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870